

**Notice of Allowability**

Application No.

10/635,504

Examiner

Maureen M. Wallenhorst

Applicant(s)

PURCELL, D. GLENN

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received on June 7, 2007.
2. ☒ The allowed claim(s) is/are 1-26, 28-40, 42-47 (renumbered 1-45).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Gatz on August 7, 2007.

On line 3 of claim 2, the phrase "configured to be use" was changed to --configured to be used--.

On line 17 of claim 28, the phrase "is separated from" was changed to --is separated and distinct from--.

On the last line of claim 33, the following phrase was inserted before the period: --, wherein the second encoded calibration information is distinct from the first encoded calibration information--.

On lines 5-6 of claim 40, the phrase "the second instrument" was changed to --a second instrument--. On the last line of claim 40, the following phrase was inserted before the period: --, wherein the second encoded calibration information is distinct from the first encoded calibration information--.

On line 4 of claim 42 after the word "substrate", the following phrase was inserted: --, wherein the encoded calibration information of the first pattern is configured to be used by a first instrument to auto-calibrate the first instrument--. On line 8 of claim 42, the phrase "over the

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first conductive ink pattern” was changed to –over the insulating layer--. On lines 9-10 of claim 42, the phrase “the first instrument being distinct from the second instrument” was deleted and replaced by the phrase –wherein the encoded calibration information of the second pattern is configured to be used by a second instrument to auto-calibrate the second instrument, and wherein the first instrument and calibration information of the first pattern are distinct from the second instrument and calibration information of the second pattern--.

On lines 5 and 7 of claim 44, the phrase “configured to use” was changed to –configured to be used--. On line 8 of claim 44 (the last line), the phrase “first instrument being distinct from the second instrument” was changed to –first instrument and the calibration information corresponding to the first instrument being distinct from the second instrument and the calibration information corresponding to the second instrument--.

2. The following is an examiner’s statement of reasons for allowance: Application serial no. 10/635,504 is being allowed since none of the prior art of record teaches or fairly suggests an auto-calibration label and a sensor package containing the label, wherein the label comprises distinct first and second calibration information codes that are each used to calibrate a different meter instrument to one or more sensors, wherein a first meter only recognizes the first calibration information and a second meter only recognizes the second calibration information. The closest prior art (Charlton et al, US 5,856,195) teaches of the auto-calibration of one meter, and a label containing different calibration codes for distinguishing between several types of sensors located on a package inserted into the meter, but does not teach of the auto-calibration of multiple, different meters to one or more sensors contained in a sensor package using distinct

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calibration codes on the sensor package, wherein one of the codes only recognizes one particular type of meter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maureen M. Wallenhorst whose telephone number is 571-272-1266. The examiner can normally be reached on Monday-Thursday from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden, can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mmw

August 7, 2007

Maureen M. Wallenhorst  
Primary Examiner  
Art Unit 1743

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